

PLANNING DEVELOPMENT MANAGEMENT COMMITTEE

26 SEPTEMBER 2013

431 UNION STREET - 130615

5. The Committee had before it a report by the Head of Planning and Sustainable Development **which recommended:-**

That the Committee express a willingness to approve the application in respect of planning permission for a change of use from bar/nightclub to office space and associated car parking, including the erection of a multi-storey development and partial demolition of the existing building, with consent being withheld until such time as a developer's contribution had been secured towards works to the local road network, core paths/public realm improvements in the area and the Strategic Transport Fund, subject to the following conditions:-

(1) That no development shall take place unless a scheme, including submission of materials samples, detailing all external finishing materials to the roof and walls of the development hereby approved has been submitted to, and approved in writing by, the planning authority and thereafter the development shall be carried out in accordance with the details so agreed; (2) That full details, including elevational and cross sectional drawings, shall be submitted to show all works, including repair and cleaning works, to the remaining fabric of the listed building. These shall include the installation of the Capitol's art deco style clocks within the building. That all works, as so agreed, to the frontage, canopy, and interior of the existing building - the 'Capitol' - must be fully implemented prior to any part of the development being brought into use. These shall be in accordance with the approved plans, or others subsequently approved and the building shall not be used unless the entrance is fully restored and available for use as the main entrance to the building, unless otherwise agreed in writing with the planning authority; (3) That the proscenium arch, decorative plaster work over the organ expression shutters and organ and all associated pipes, instruments and equipment required for the organ to be brought back into use, shall be carefully removed prior to any demolition works taking place. The organ and associated items shall be dismantled/removed and taken safely to storage facilities, in complete accordance with the method statement as submitted and approved as part of this permission, unless otherwise agreed in writing with the planning authority. The proscenium arch and decorative plaster work shall be removed and stored in accordance with a scheme to be submitted to and approved in writing by the planning authority; (4) That the development hereby granted planning permission shall not be occupied unless the cycle storage facilities as shown on the approved drawings, or others subsequently approved have been provided; (5) That

the development hereby approved shall not be occupied unless there has been submitted to and approved in writing a detailed Travel Plan, which outlines sustainable measures to deter the use of the private car in accordance with the principles set out in the Transport Assessment (TA) by Fairhursts issue 4, or other TA as subsequently approved; (6) That no window replacement shall take place unless there has been submitted to, and approved in writing by, the planning authority a full survey of the windows showing that they are beyond repair. Any replacement frames shall match those existing and shall be implemented fully in accordance with details, including cross sections, submitted to and approved in writing by, the planning authority; (7) That the existing entrance to the 'Capitol' shall be used as the main entrance to the entire development hereby granted permission, including the new build element extending back to Justice Mill Lane and the front part of the development shall not be functionally separated nor access physically blocked, unless otherwise agreed in writing with the planning authority; (8) That no window replacement shall take place unless there has been submitted to, and approved in writing by, the planning authority a full survey of the windows showing that they are beyond repair. Any replacement frames shall match those existing and shall be implemented fully in accordance with details, including cross sections, submitted to, and approved in writing by, the planning authority; (9) That no development shall commence on site until a site specific Construction Method Statement (CMS) has been submitted and approved in writing by the planning authority in consultation with SEPA (and other agencies as appropriate). All works on site must be undertaken in accordance with the approved CMS unless otherwise agreed in writing with the planning authority; (10) That the building shall not be brought into use unless the handrails to the stairs and escalators have been retained, restored and replaced in accordance with a scheme to be submitted to, and approved in writing by the planning authority; (11) That the shop frontage within the application site to the east of the Capitol entrance shall be refurbished generally to match the existing shop front immediately to the west of the Capitol in accordance with a scheme, including detailed drawings and cross sections, to be submitted to and approved in writing with the planning authority. Neither the shop itself, nor the main development shall be brought into use unless the shop front has been refurbished in accordance with such a scheme; and (12) That the building hereby approved shall not be occupied unless a scheme detailing compliance with the Council's 'Low and Zero Carbon Buildings' supplementary guidance has been submitted to and approved in writing by the planning authority, and any recommended measures specified within that scheme for the reduction of carbon emissions have been implemented in full.

The Convener moved, seconded by Councillor Grant:-

(1) that the application be approved in accordance with the recommendation contained within the report, subject to the following additional condition:-

(13) That the development shall not be brought into use unless there has been erected on the frontage of the building at high level, individually lettered illuminated signage 'CAPITOL', similar to that originally on the building, in accordance with details to be submitted to, and approved in writing by, the planning authority, unless otherwise agreed in writing with the planning authority; and

(2) to request the Education, Culture and Sport Committee to consider finding a suitable venue within the city for the organ to be brought back into use.

Councillor Greig moved as an amendment, seconded by Councillor Jennifer Stewart:-

That the application be refused on the grounds (1) that the proposed development by reason of scale and design did not fit within the character of the conservation area and the historic environment; and (2) that there was insufficient car parking provision within the proposed development which would have an adverse impact on the surrounding area and would increase already existing car parking pressures.

On a division, there voted:- for the motion (10) - the Convener; and Councillors Boulton, Corall, Cormie, Grant, Jaffrey, Lawrence, Jean Morrison, Thomson and Townson; for the amendment (3) - Councillors Finlayson, Greig and Jennifer Stewart.

The Committee resolved:-
to adopt the motion.